

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**NICOLE ESTES,**

**Plaintiff,**

**VS.**

**THE OMAHA SCHOOL  
FOUNDATION d.b.a. THE KIDS  
CLUB, a Corporation,**

**Defendant.**

**8:05CV510**

## SCHEDULING ORDER ON MOTION TO WITHDRAW

Plaintiff's attorney, Sheri E. Long Cotton, has filed a Motion to Withdraw (#12) and a Declaration (#13) in support thereof. The Motion and Declaration were both served on the plaintiff by first class mail.

In her Declaration, counsel advises that she has moved to Texas and has obtained substitute counsel for the plaintiff; however, the plaintiff has not had an opportunity to confer with the new attorney.

**IT IS ORDERED:**

1. Counsel's Motion to Withdraw (#12) is held in abeyance until **April 28, 2006** pending the entry of appearance of substitute counsel. The motion will be granted after substitute counsel enters an appearance in accordance with NEGenR 1.3(d).<sup>1</sup>

2. If substitute counsel does not enter an appearance by **Friday, April 28, 2006**, the Motion to Withdraw will be granted and the plaintiff, Nicole Estes, will be deemed to be proceeding *pro se*, i.e., without the assistance of counsel. In that event, the plaintiff will be

<sup>1</sup>NEGenR 1.3(d) provides:

**Appearance of Counsel.** An attorney makes an appearance in a case by (1) filing a written entry of appearance or signed pleading, or (2) personally appearing at a hearing or proceeding. An attorney who has orally entered an appearance shall promptly file and serve a written appearance. A written appearance or pleading signed by an attorney shall show the attorney's bar number, office address, telephone number, fax number, and e-mail address.

personally responsible for prosecuting this case on her own behalf in accordance with the Federal Rules of Civil Procedure, the Local Rules of Practice, and the schedules set by the court.

3. Moving counsel, Sheri E. Long Cotton, shall serve a copy of this order on the plaintiff, Nicole Estes, at her last known address and shall file proof of service with the court before the close of business on **Friday, April 14, 2006.**

**DATED April 11, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**